

Serial No: 09/829,623

**REMARKS**

This Amendment is in response to the Office Action dated April 8, 2005. In the Office Action, claims 1-18 were rejected under 35 USC §103. By this Amendment, claims 1 and 9 are amended and claims 19-23 are added. Currently pending claims 1-23 are believed allowable, with claims 1, 9 and 23 being independent claims.

**CLAIM REJECTIONS UNDER 35 USC §103:**

Claims 1-18 were rejected under 35 USC §108 as being obvious over U.S. Patent No. 5,933,811 to Angles et al. ("Angles") in view of U.S. Patent No. 5,835,087 to Herz et al. ("Herz"). A *prima facie* case for obviousness can only be made if the combined reference documents teach or suggest all the claim limitations. MPEP 2143.

**Claim 1:**

Claim 1 is presently amended to recite, in part, "providing a description of the amount of information contained in said finite number of intermediate contents." Support for this amendment can be found at least at Figs. 11 and 12 of the present Application.

Claim 1 is presently amended to recite, in part, "wherein said intermediate contents are hieratically structured according to an amount of information content; assigning each of said finite number of intermediate contents an information level based on said amount of information content." Support for this amendment can be found at least at Figs. 11, 12 and 16 of the present Application.

Angles describes a technique for delivering customized advertisings to consumers. Angles, col. 5, lines 28-30. Angles teaches utilizing an advertisement database to store numerous advertisements designed for different types of consumers. Angles, col. 23, lines 36-40.

Herz appears to describe system for customized electronic identification of desirable "target objects" in an electronic media environment based on relevance and interest to the system user. Herz, col. 4, lines 37-43. Target objects can be, but are not limited to, textual documents, human beings, movies, or mutual funds. Herz, col. 8, lines 51-53. Herz teaches generating target profiles containing information about the

Serial No: 09/829,623

target objects. Herz, col. 9, line 63 - col. 10, line 20. Herz further describes hierarchical clustering to produce a tree which divides the target objects into clusters of similar objects. Herz, col. 24, lines 15-21.

The Applicant respectfully submits that neither Angles nor Herz appear to teach or suggest intermediate contents that are hieratically structured according to an amount of information content, as recited in claim 1. Although Herz discusses hierarchical clustering to produce a tree dividing the target objects, such clustering appears to based upon the similarity of objects.

The Applicant further submits that neither Angles nor Herz appear to teach or suggest assigning each of said finite number of intermediate contents an information level based on said amount of information content, as recited in claim 1.

Thus, for at least these reasons, claim 1 is allowable over Angles and Herz. Allowance of claim 1 is therefore earnestly solicited.

Claim 17:

Claim 17 is dependent on and further limits claim 1. Claim 17 recites, in part, "associating a content price for each of the intermediate contents based on their information content."

In rejecting claim 17, the Office Action states that Herz teaches all the claim limitations, citing column 18, lines 53-60 of Herz. The cited text reads:

Quality attributes of target object X may include, but are not limited to, target object X's popularity among users in general, the rating a particular reviewer has given target object X, the age (time since authorship--also known as outdatedness) of target object X, the number of vulgar words used in target object X the price of target object X, and the amount of money that the company selling target object X has donated to the user's favorite charity. Herz, col. 18, lines 53-60.

It is respectfully submitted that the cited text merely provides examples of what is meant by the term "quality attributes" in Herz. The Applicant finds no teaching in Herz that quality attributes somehow associate a content price for each intermediate content based on their information content, as recited in claim 17.

Serial No: 09/829,623

For at least this reason, and the reasons given above for claim 1, claim 17 is allowable over Angles and Herz. Allowance of claim 17 is therefore earnestly solicited.

Claims 2-8, 19 and 20:

Claims 2-8, 19 and 20 are dependent on and further limit claim 1. Since claim 1 is believed allowable, claims 2-8, 19 and 20 are also believed allowable for at least the same reasons as claim 1.

Claim 9:

Claim 9 is presently amended to recite, in part, "wherein said intermediate contents are hieratically structured according to an amount of information content; means for assigning each of said finite number of intermediate contents an information level based on said amount of information content." Support for this amendment can be found at least at Figs. 11, 12 and 16 of the present Application.

As discussed above, Angles describes a technique for delivering customized advertisings to consumers. Angles, col. 5, lines 28-30. Angles teaches utilizing an advertisement database to store numerous advertisements designed for different types of consumers. Angles, col. 23, lines 36-40.

Herz appears to describe system for customized electronic identification of desirable "target objects" in an electronic media environment based on relevance and interest to the system user. Herz, col. 4, lines 37-43. Target objects can be, but are not limited to, textual documents, human beings, movies, or mutual funds. Herz, col. 8, lines 51-53. Herz teaches generating target profiles containing information about the target objects. Herz, col. 9, line 63 - col. 10, line 20. Herz further describes hierarchical clustering to produce a tree which divides the target objects into clusters of similar objects. Herz, col. 24, lines 15-21.

The Applicant respectfully submits that neither Angles nor Herz appear to teach or suggest intermediate contents that are hieratically structured according to an amount of information content, as recited in claim 9. Although Herz discusses hierarchical clustering to produce a tree dividing the target objects, such clustering appears to based upon the similarity of objects.

Serial No: 09/829,623

The Applicant further submits that neither Angles nor Herz appear to teach or suggest means for assigning each of said finite number of intermediate contents an information level based on said amount of information content, as recited in claim 9.

Thus, for at least these reasons, claim 9 is allowable over Angles and Herz. Allowance of claim 9 is therefore earnestly solicited.

Claim 18:

Claim 18 is dependent on and further limits claim 9. Claim 18 recites, in part, "a price storage unit configured to associate a content price for each of the intermediate contents based on their information content."

In rejecting claim 18, the Office Action states that Herz teaches all the claim limitations, citing column 18, lines 53-60 of Herz. The cited text reads:

Quality attributes of target object X may include, but are not limited to, target object X's popularity among users in general, the rating a particular reviewer has given target object X, the age (time since authorship--also known as outdatedness) of target object X, the number of vulgar words used in target object X the price of target object X, and the amount of money that the company selling target object X has donated to the user's favorite charity. Herz, col. 18, lines 53-60.

It is respectfully submitted that the cited text merely provides examples of what is meant by the term "quality attributes" in Herz. The Applicant finds no teaching in Herz that quality attributes somehow associate a content price for each intermediate content based on their information content, as recited in claim 18.

For at least this reason, and the reasons given above for claim 9, claim 18 is allowable over Angles and Herz. Allowance of claim 18 is therefore earnestly solicited.

Claims 10-15, 21 and 22:

Claims 10-15, 21 and 22 are dependent on and further limit claim 9. Since claim 9 is believed allowable, claims 10-15, 21 and 22 are also believed allowable for at least the same reasons as claim 9.

Serial No: 09/829,623

NEW CLAIMS:

By this Amendment, claims 19-23 are introduced to the present Application.

Claims 19 and 21 recite, in part, "providing a description of the amount of information contained in said finite number of intermediate contents." Support for claims 19 and 21 can be found at least at Figs. 11 and 12 of the present Application.

It is respectfully submitted that neither Angles nor Herz appear to teach or suggest providing a description of the amount of information contained in said finite number of intermediate contents, as recited in claims 19 and 21. For at least this reason and the reasons detailed above for independent claims 1 and 9, claims 19 and 21 are believed allowable.

Claims 20 and 22 recite, in part, "wherein said intermediate contents are hieratically structured according to the number of pages contained therein." Support for claims 19 and 21 can be found at least at Fig. 15 of the present Application.

It is respectfully submitted that neither Angles nor Herz appear to teach or suggest intermediate contents hieratically structured according to the number of pages contained therein, as recited in claims 20 and 22. For at least this reason and the reasons detailed above for independent claims 1 and 9, claims 20 and 22 are believed allowable.

Independent claim 23 recites a computer program product with substantially the same elements and limitations of claim 1. Thus, no new matter is believed to be introduced by claim 23. Furthermore, claim 23 is believed to be allowable for at least the same reasons as claim 1.

**CONCLUSION**

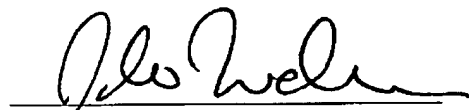
In view of the forgoing remarks, it is respectfully submitted that this case is now in condition for allowance and such action is respectfully requested. If any points remain at issue that the Examiner feels could best be resolved by a telephone interview, the Examiner is urged to contact the attorney below.

Serial No: 09/829,623

Please charge Deposit Account 50-0510 the amount of \$940, which includes an RCE fee (\$790) and extra claims (\$150). No other fee is believed due with this Amendment, however, should such a fee be required please charge Deposit Account 50-0510. Should any extensions of time be required, please consider this a petition thereof and charge Deposit Account 50-0510 the required fee.

Respectfully submitted,

Dated: July 8, 2005



Ido Tuchman, Reg. No. 45,924  
Law Office of Ido Tuchman  
69-60 108th Street, Suite 503  
Forest Hills, NY 11375  
Telephone (718) 544-1110  
Facsimile (718) 544-8588